

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

RENA B GOODWIN
Claimant

APPEAL NO. 06A-UI-04218-A

**ADMINISTRATIVE LAW JUDGE
DECISION**

**AUTISTIC AND RELATED DISABILITIES
SERVICE CENTER**
Employer

**OC: 03/05/06 R: 01
Claimant: Appellant (3)**

Section 96.5-1 – Voluntary Quit

STATEMENT OF THE CASE:

Rena B. Goodwin filed a timely appeal from an unemployment insurance decision dated April 4, 2006, reference 01, which held her ineligible for unemployment insurance benefits upon finding that she was unwilling to work the number of hours required in her occupation. After due notice was issued, a hearing was held in Sioux City, Iowa, on October 11, 2006 with project director Stephanie Fields participating for the employer, Autistic and Related Disabilities Service Center. Ms. Goodwin did not respond when paged at the time of the hearing and again prior to the closing of the record.

ISSUE:

Did the claimant leave work with good cause attributable to the employer?

FINDINGS OF FACT:

Having heard the testimony of the witness and having examined all of the evidence in the record, the administrative law judge finds: Rena B. Goodwin was employed as project director by Autistic and Related Disabilities Service Center from November 1, 2003 until she resigned effective January 4, 2006. In December 2005 Ms. Goodwin gave notice of her resignation to Eunice Barnes, saying that she wanted to perform foster care but did not wish to continue in her prior position. Further work would have been available for Ms. Goodwin had she not resigned.

REASONING AND CONCLUSIONS OF LAW:

The question is whether the claimant left work with good cause attributable to the employer. From the evidence in the record, the administrative law judge concludes that she did not.

Iowa Code section 96.5-1 provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

The claimant has the burden of proof. See Iowa Code section 96.6-2. As noted above, the claimant did not participate in the hearing. The employer's sworn testimony is uncontradicted. The evidence establishes that Ms. Goodwin resigned because she did not wish to continue working for the employer and wished to seek other employment. While this may constitute good personal cause for resigning, it does not constitute good cause attributable to the employer. Benefits must be withheld.

DECISION:

The unemployment insurance decision dated April 4, 2006, reference 01, is modified. The claimant left work voluntarily without good cause attributable to the employer. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

cs/cs